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15 Attorneys for Appellee/Plaintiff JOHN CHALLAS

16
UNITED STATES DISTRICT COURT
 17
FOR THE NORTHERN DISTRICT OF CALIFORNIA

18 In re: Stephen J.R. Goetz and Diana
 19 Goetz,
 20

Debtors.

21 John Challas,

22 Plaintiff,

v.

23 Steven Goetz, and DOES 1 through 20,
 24 Inclusive,

Defendants.

Chapter 11

Case No. C-07-06364 RMW

[Bankruptcy Case No. 05-57623 MM;
 Adversary Proceeding No. 06-5197;
 BAP No. NC-07-1418.]

**APPELLEE/PLAINTIFF JOHN CHALLAS' NOTICE
 OF CONTINUED HEARING ON MR. CHALLAS'
 MOTION TO DISMISS THE APPEAL BY
 APPELLANT/DEFENDANT STEPHEN GOETZ**

New Date: July 25, 2008

Time: 9:00 a.m.

Judge: Hon. Ronald M. Whyte

Courtroom: 6, 4th Fl.

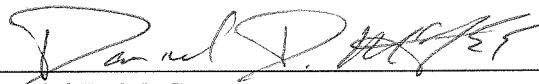
TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

NOTICE IS HEREBY GIVEN that on June 4, 2008, the Court, on its own motion, continued the hearing on Appellee/Plaintiff JOHN CHALLAS' ("Mr. Challas") motion to dismiss the appeal

1 brought by Appellant/Defendant STEPHEN GOETZ ("Goetz") which is currently set for June 20,
2 2008. **The new hearing date for said motion is now July 25, 2008, at 9:00 a.m., in Courtroom # 6,**
3 **4th Floor of the U.S. Courthouse, 280 South First Street, San Jose, California.** However, the
4 parties are still required to file papers in connection with said motion in accordance with the originally
5 noticed June 20, 2008 hearing date. A true and correct copy of the Clerk's Notice of Continuance is
6 attached hereto as **Exhibit 1**. A certificate of service of this Notice of Continuance is also attached
7 hereto.

8

9 Dated: June 6, 2008

10 ELLIS, COLEMAN, POIRIER, LAVOIE, &
11 STEINHEIMER LLP12 By 

13 Daniel D. McGee

14 Co-Counsel for JOHN CHALLAS

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CERTIFICATE OF SERVICE

I, Nichole M. Pruitt, declare:

I am a citizen of the United States, am over the age of eighteen years, and am not a party to or interested in the within entitled cause. My business address is 555 University Avenue, Suite 200 East, Sacramento, CA 95825.

On June 6, 2008, I served the following document(s) on the parties in the within action:

**APPELLEE/PLAINTIFF JOHN CHALLAS' NOTICE OF CONTINUED HEARING ON
MR. CHALLAS' MOTION TO DISMISS THE APPEAL BY APPELLANT/DEFENDANT
STEPHEN GOETZ**

BY MAIL: I am familiar with the business practice for collection and processing of mail. The above-described document(s) will be enclosed in a sealed envelope, with first class postage thereon fully prepaid, and deposited with the United States Postal Service at Sacramento, CA on this date, addressed as follows:

VIA ELECTRONIC SERVICE: The above-described document(s) will be delivered electronically through the Court's ECF/PACER electronic filing system, as stipulated by all parties to constitute personal service, to the following:

Stephen Goetz
13725 Robleda Road
Los Altos, CA 94022
(Via U.S. Mail)

Debtor In Pro Per

George P. Eshoo, Esq.
Law Offices of George P. Eshoo et al.
702 Marshall Street, Suite 500
Redwood City, CA 94063
(Via Electronic Service)

Co-Counsel for John Challas

I declare under penalty of perjury under the laws of the State of California that the foregoing is a true and correct statement and that this Certificate was executed on June 6, 2008.

By Nichole M. Pruitt
Nichole M. Pruitt

EXHIBIT 1

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2
3 IN THE UNITED STATES DISTRICT COURT
4 FOR THE NORTHERN DISTRICT OF CALIFORNIA
56 IN RE: STEPHEN J.R. GOETZ ,
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8

E-FILED - 6/4/08

CASE NO.: 07-06364-RMW

CLERK'S NOTICE OF CONTINUANCE**NEW DATE: JULY 25, 2008****TIME: 9:00 AM**9
10 PLEASE TAKE NOTICE that, on the court's own motion, **APPELLEE/PLAINTIFF**
11 **JOHN CHALLAS' MOTION TO DISMISS APPEAL**, noticed for June 20, 2008, has been
12 continued to the date and time set forth above. The parties are to appear before the Honorable
13 Ronald M. Whyte in courtroom #6, 4th floor of the U.S. Courthouse, 280 South First Street, San
14 Jose, California, unless notified that the matter will be submitted without argument.
1516 If any hearing date is moved by the court's own motion, papers must still be filed in
17 accordance with the originally noticed date and the Local Rules of this court absent a court order
18 setting a new briefing schedule.
1920 The moving party shall give written notice to counsel for all parties of the new date of the
21 hearing after receipt of this notice. Following service, the moving party shall file a certificate of
22 service with the Clerk of the Court.
2324 DATED: June 4, 200825
26 BY: /s/ Jackie Garcia
27 JACKIE GARCIA
28 Courtroom Deputy for
Honorable Ronald M. Whyte

1 Copy of Order E-Filed to Counsel of Record:

2 Order Mailed to:

3 **Stephen Goetz**
13725 Robleda Road
4 Los Altos, CA 94022

5 **Marilyn Morgan**
6 US Bankruptcy Court
280 South First Street
7 Room 3035
8 San Jose, CA 95113

9 **USBC Manager-San Jose**
10 US Bankruptcy Court
280 South First Street
11 Room 3035
San Jose, CA 95113

12 *Pro Se Parties*

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